

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Applicant,)	
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)	
)	Civil Action No. 11 CV 00201
)	Charge No. 440-2008-04591
)	Subpoena No. CH-10-037
AARON'S, INC.,)	Hon. Matthew F. Kennelly
)	
Respondent.)	
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APPLICANT EEOC'S MOTION TO CLARIFY

Applicant U.S. Equal Employment Opportunity Commission ("EEOC") hereby files this Motion to Clarify the time by which Respondent Aaron's Inc. must fully comply with EEOC's Subpoena No. 10-037. In support of its motion, EEOC states as follows:

1. On January 12, 2011, EEOC filed an Application for an Order to Show Cause Why Subpoena Should Not Be Enforced.
2. On January 26, 2011, Respondent filed a brief in response to EEOC's Application for an Order to Show Cause as well as a Motion to Strike Paragraphs 9 and 10 of the Declaration of Susan Smith.
3. On February 16, 2011, EEOC filed its Reply in Support of Application to Show Cause and its Memorandum in Opposition to Respondent's Motion to Strike Paragraphs 9 and 10 of the Declaration of Susan Smith.
4. On April 11, 2011, this Court denied Respondent's Motion to Strike and ordered Respondent to comply with EEOC's subpoena as stated in its Memorandum Opinion, which was issued contemporaneously, except that Respondent need not produce information from its Illinois franchisee-owned stores.

5. On May 2, 2011, counsel for EEOC contacted counsel for Respondent to determine when EEOC could expect to receive the responsive documents. Prior to that time, Respondent had failed to contact EEOC and had not produced anything in response to the Court's April 11, 2011 Order.

6. On May 3, 2011, counsel for Respondent informed counsel for EEOC that Respondent estimates that it need until June 20, 2011 to produce the documents, but Respondent's counsel also said that she would provide EEOC with another update as "we get closer to June 20...." (Exhibit 1).

7. EEOC has been trying unsuccessfully to obtain the subpoenaed information from Respondent since December 4, 2009, when it first served Respondent with Subpoena No.CH-10-037.

8. EEOC is entitled to the information sought, and it is critical that EEOC obtains it so that it can complete its investigation.

9. Therefore, EEOC hereby requests that this Court set a date certain, not later than June 20, 2011, by which Respondent must produce the relevant information.

Respectfully submitted,

s/ June Wallace Calhoun
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CERTIFICATE OF SERVICE

I, June Wallace Calhoun, an attorney, certify that on May 6, 2010, I served the foregoing motion in Adobe PDF, via the Court's electronic filing system upon:

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